

REMARKS

Claims 1-20 are pending. Claims 1 and 2 are amended.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection and to correct a format error (claim 2). Entry of the amendments is thus respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Le in the September 4, 2003, personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

In paragraph 3, on page 2 of the Office Action, claims 1-8 and 11-18 were rejected under 35 U.S.C. §102(e) as anticipated by Ohishi et al. (hereinafter "Ohishi"), U.S. Patent No. 6,091,171 and claims 9, 10, 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ohishi in view of JP 64-50647. The rejections are respectfully traversed.

Claim 1 calls for a motor with a rotation detecting device, comprising a rotary shaft; a yoke in a bottomed cylindrical shape which rotatably supports one end of the rotary shaft and attaches permanent magnets on its inner peripheral surface; a casing with a bottomed cylindrical part which is connected to the open end of the yoke and rotatably contains the other end of the rotary shaft; and a rotation detecting device which detects rotation of the

rotary shaft, wherein the rotation detecting device is supported by a sensor holder, the sensor holder is provided with an outer electrical connecting portion and is disposed in the casing by insertion into a sensor holder receiving part formed in the casing from the same direction as an incorporating direction of the rotary shaft into the bottomed cylindrical part, and the casing is provided with an electrical connecting opening part from which the outer electric connection portion of the sensor holder which has been inserted into the sensor holder receiving part is seen, whereby an electrical connection for the sensor holder is made from the electrical connecting opening part. Ohishi discloses no such structure.

In particular, Ohishi discloses an electrical motor having a housing 3 that is attached to a yoke 2. The yoke 2 and the housing 3 support a rotary shaft 14 having an armature 15 and a commutator 16. Additionally, a permanent magnet 17 is mounted on the rotary shaft 14. Inserted into the housing 3, via a sensor accommodation recess 3b, is a casing 7. The casing 7 includes a circuit plate 19 having mounted thereon a Hall IC device 22. The circuit plate 19 is connected to connector pins 21 that extend upwardly into an open connection part 7b of the casing 7. Thus, the circuit plate 19 is the sensor holder and the sensor holder and the connection part are integral parts of the casing 7 of Ohishi. Further, the casing 7 (assembly) is mounted in the housing 3.

In the claimed invention, a sensor holder is disposed in the casing by insertion into a sensor holder receiving part formed in the casing, that is, the sensor holder is a separate part from the casing. Further, the separate casing of the claimed invention is provided with the electrical connecting opening part from which the outer electrical connecting portion of the sensor holder, which is been inserted into the sensor holder receiving part, is seen.

The confusion appears to be over the word "casing". What is defined in the claimed invention as the casing most closely comports with the "housing 3" of Ohishi. That is, Applicants casing 6 is best equated to the housing 3 of Ohishi, Applicants' motor yoke 3 corresponds to the yoke 2 of Ohishi, and Applicants' sensor holder 12 equates to Ohishi's casing 7, as the casing 7 in Ohishi is the only thing that contains a sensor and thus must be defined as a sensor holder. There is clearly no opening or electrical connecting opening part of the housing 3 in Ohishi that allows observation of the connector pins 21 of the sensor holder 7 so as to be seen as the connection portion 7b of Ohishi is external to the housing 3. Lastly, Ohishi inserts the sensor 22, mounted on the sensor holder 7, transverse to the insertion direction of the rotary shaft rather than in the same direction. The distinctions were graphically demonstrated at the interview using figures of the application, Figure 1 of Ohishi, and a casing and rotation detecting device of the invention.

Because Ohishi does not literally disclose each and every feature of the invention of claim 1, a rejection under 35 U.S.C. §102 is inappropriate. Further, because Ohishi has a completely different structure it can not suggest the invention of claim 1. Likewise, for the reasons discussed above with respect to claim 1, Ohishi does not anticipate the subject matter claims 2-8 and 11-18, nor suggest that subject matter of claims 2-8 and 11-18 for the additional features recited in the dependent claims.

As to JP 64-50647, the reference does not overcome the deficiencies of Ohishi as discussed above with respect to claim 1. The Japanese reference shows female connectors having varying claw configurations to be received in complementary recesses on the outer surface of the male connector.

~~Respectfully submitted~~

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